

A Consultation Paper

New Approach

TO LAND USE PLANNING

- Common Goals
- Clear Policies
- Good Planning



Ministry of
Municipal
Affairs

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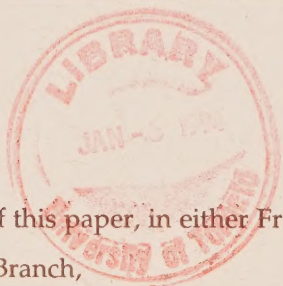
This consultation paper is the first step by the provincial government towards implementing reforms of the land use planning system in Ontario. Other measures are now being considered. These include possible changes to the existing **Planning Act**.

The paper contains a comprehensive set of proposed provincial land use planning policy statements and a proposed legislative amendment to implement them, based largely on the recommendations of the Commission on Planning and Development Reform in Ontario, chaired by John Sewell. The policy statements would be authorized by Cabinet and issued under the authority of Section 3 of the **Planning Act**.

The mail-out of this package to you and many other individuals, municipalities, and stakeholder groups across Ontario begins the 90-day consultation period for obtaining public input on the government's proposed policy statements and the proposed changes to the **Planning Act**.

WE ARE ASKING FOR YOUR VIEWS ON TWO MAIN QUESTIONS:

- What do you think of the details of the proposed provincial policy statements in this paper?
- What do you think of "shall be consistent with" as the new standard for implementing the policy statements, instead of the existing "shall have regard to" standard in the **Planning Act**?



For more copies of this paper, in either French or English, please contact:

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Ministry of
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December 1993

A MESSAGE FROM THE MINISTER OF MUNICIPAL AFFAIRS

This government wants to reform Ontario's land use planning system.

Fundamental to better planning is clear policy direction. We intend to establish a comprehensive set of policy statements on a full range of land use planning issues.

To do this, we are building on the very extensive and open consultation held over the past two years by the Commission on Planning and Development Reform in Ontario, chaired by John Sewell. One of the main strengths of the Commission's process has been the balance it achieved in addressing concerns of municipalities, the development industry, environmental advocates, rural communities, and the public.

The government will use the following principles in making improvements to Ontario's planning system: decisions will be made faster without compromising the environment or public involvement; the system will be policy-led; roles of provincial and municipal governments will be clarified to reduce overlaps; and the reformed system will recognize the diversity of Ontario's municipalities and planning areas.

This package of comprehensive land use planning policy statements is part of our long-term reform. We have developed proposals for legislative and administrative changes that will focus on streamlining and efforts to improve administrative efficiency within the ministry, through the Provincial Facilitator and the Ontario Municipal Board, will continue.

To make sure the policies will work well, we are asking you to help by reviewing them and giving us your ideas for improvements. If you have any questions or need more information, please contact:

Consultation Project, Municipal Planning Policy Branch
Ministry of Municipal Affairs, 13th Floor, 777 Bay Street, Toronto, Ontario, M5G 2E5
Telephone: (416) 585-6226 Fax: (416) 585-7540

When you have reviewed the proposed policy statements and the "shall be consistent with" implementation approach, please mail/fax your written comments to the above address by the March 14, 1994 deadline.

Thank you for taking time to read this paper. I look forward to your comments.

Sincerely,

Ed Philip
Minister

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Context

The Commission on Planning and Development Reform in Ontario was appointed by the Minister of Municipal Affairs in 1991. The Commission was given a broad mandate to recommend changes to the **Planning Act** and related policy that would restore integrity to the land use planning process and support environmental, economic, agricultural and other public interests, making the land use planning process more fair, open and accountable.

The Commissioners consulted very widely and openly over a two-year period with municipalities, planners, developers, environmentalists, farmers, municipal politicians, provincial ministries, public agencies, and the general public across the province.

The ideas presented by those who participated in meetings and forums or who wrote submissions were the basis for formulating the recommendations in the Commission's Final Report, submitted to the Minister of Municipal Affairs in June 1993. The result of this collaborative and open process was a set of 98 recommendations by the Commission for an improved land use planning system that integrates a wide range of interests in land use planning. The public and stakeholders have expressed widespread support for the work of the Commission.

The Commission's key policy recommendations are that:

- The government consider the Commission's policy recommendations for a comprehensive set of provincial policy statements, "which should be widely circulated for comment for a period of three months."

- The province adopt a comprehensive set of provincial policies in six policy areas:
 - Natural Heritage and Ecosystem Protection and Restoration
 - Community Development and Infrastructure
 - Housing
 - Agricultural Land
 - Conservation
 - Non-renewable Resources.
- To ensure that provincial policy statements are effectively implemented, the provision in the **Planning Act** be changed so that in exercising any authority that affects any planning matter, decisions by all planning jurisdictions "shall be consistent with" provincial policy statements, in place of the existing "shall have regard to" standard in subsection 3(5) of the **Planning Act**.

Why is Province Consulting Now?

The Commission itself recommended that the government should consult on the policy statements it intends to adopt. We've refined the Commission's policy proposals and agree with the Commission's recommendation for a 90-day consultation. This will provide Ontarians the opportunity for input on the government's proposed policy direction in land use planning.

As a first step in planning reform, the government is consulting on its proposed comprehensive set of policy statements, which are based on the Commission's recommended policies.

Over the past two years, the Commission consulted widely on its proposed planning principles as well as its policy and legislative proposals. The Commission held four rounds of public forums across the province, received more than 2,000 written submissions, convened 15 working groups on specific planning issues, sponsored three dozen community meetings, and regularly

communicated with over 16,000 persons via its newsletter. Through this process, the Commission did the background work and analysis needed to develop its proposed policies.

The Commission received a number of submissions urging that whatever policy statements the Commission recommended, another opportunity for public comment be provided. The Commission agreed that such an opportunity would be useful and that it should be "on a set of policies the government itself wishes to adopt."

Our consultation builds on the work of the Commission and focuses on the government's response to the Commission's policies. We will also be considering changes to the land use planning system to make it more streamlined and policy-led, with a clear delineation between provincial and municipal roles in land use planning, integrating environmental concerns into the planning process and reflecting the diversity of municipalities across Ontario.

The Commission's policies have been refined by the government to reflect what the province wants to promote and protect, as well as what can be implemented. There are more similarities than differences between the Commission's proposed policies and those of the government. The intention of the revised policies is to remove uncertainty so that those involved in making planning decisions and those making planning applications will know what is acceptable under provincial policy. Certainty will result in faster, better, and more consistent decisions. Good development will be able to proceed more quickly. This, in turn, can help create jobs and promote much-needed economic activity.

Decisions on where development should not proceed must also be delivered quickly, so municipalities, developers, and others involved in the land use planning process will know upfront where and why development can be encouraged and where it should not be.

Another distinct benefit is that all of the province's existing policies on land use planning issues will be brought together in one document,

which also includes policies on new and emerging issues. In doing so, we have attempted to keep the balance achieved by the Commission in its proposed policies.

We want your response to the government's proposed policy direction because our aim is to make sure that the set of comprehensive policy statements achieves our common goals through clear policies and good planning.

The Proposed Policy Statements

The policy statements focus on results instead of on the details of how to achieve the results. The policies have been written to be easily understood, comprehensive and brief. They contain direction on:

- protecting natural ecosystems to stop further deterioration of the quality of air, water, land and diversity of biota
- appropriate development where public health or safety is a factor
- managing growth to foster healthy communities and efficient use of land and public infrastructure
- providing for affordable housing accessible to the full range of households across Ontario
- protecting prime agricultural areas for their long-term agricultural use
- conserving energy and water as well as reducing, re-using and recycling of waste
- protecting mineral and petroleum operations and resource areas for resource use.

2 “Shall Be Consistent With”

Background

Section 3 of the **Planning Act** gives the Minister of Municipal Affairs, together with any other Minister of the Crown, the authority to issue policy statements on matters related to municipal planning which are of provincial interest. Section 3 now requires that, in exercising any authority that affects planning matters, planning authorities “shall have regard to” policy statements issued under the Act. The comprehensive set of proposed policy statements set out in this paper is intended to be issued under Section 3 of the **Planning Act**.

Proposed Legislative Change

To strengthen the implementation of these provincial policy statements through the land use planning process, we propose that Section 3(5) of the **Planning Act** be revised to require that planning authorities’ decisions “shall be consistent with” provincial policies. It could read:

“In exercising any authority that affects any planning matter, a decision of the council of every municipality, every local board or planning authority, every minister of the Crown and every ministry, board, commission or agency of the government, including the Municipal Board and Ontario Hydro, shall be consistent with policy statements issued under subsection (1).”

Implications

We think it is very important to clearly set out the province’s goals and policies for land use across Ontario. As a province, we care about promoting sound development, protecting significant environmental features, retaining prime agricultural land for agricultural use, protecting and using mineral and petroleum resources, and providing for a supply of affordable housing. A comprehensive set of policy statements is the most effective means for setting out the government’s policy direction. We want a mechanism that will strongly implement these policy statements while providing flexibility for decision makers.

We also want a mechanism that recognizes the diversity of municipalities and planning boards across Ontario - the different issues they face, their planning capabilities, their geographic characteristics, and their unique local conditions and circumstances.

It is our view that “shall be consistent with” is a stronger mechanism for implementing policy than “shall have regard to.” The “shall be consistent with” standard would require planning authorities to make planning decisions in a manner that implements the stated goals and objectives of the applicable provincial policy statements consistent with the spirit of the government’s policy direction. At the same time, this provision should be flexible enough to apply the policy statements to a variety of local circumstances and in ways that are practical and innovative, as long as the stated end result of the applicable policy statement is met.

We want to know if you think the proposed rewording of subsection 3(5) would accomplish the intended purpose set out above.

Relationship Among Statements

The government's aim is to establish clear policy direction on the broad range of land use planning issues that it has an interest in. By developing a comprehensive set of provincial policy statements dealing with these issues, our intention is to make it clear to all concerned what goals and objectives the province has in these areas. In this way, guesswork is removed and the expected end results the province is striving for are set out up front in one public document.

Our intent also is to issue this comprehensive set of policy statements under Section 3, as revised, of the **Planning Act**. This will provide each statement with the same legislative basis, status, and means of implementation. We want to ensure that all land use planning decisions are based on full knowledge and understanding of the province's stated policies and their expected results, as set out in the goals for each statement.

Given this comprehensive policy framework, depending on the circumstances and the wording of the applicable statements, it will be clear what decision is expected by the government. For example, if one policy statement is so important that in all cases it should override other policies, the decision-maker will know, from the plain language of the statements, that this is the government's intention.

In being applied to land use planning matters at the local and regional levels, the intention is that local circumstances will be reflected, within the spirit of the government's policy direction. As such, there are bound to be situations where two or more of the statements apply to a local area, and where it may not be possible to be consistent with all applicable policies. We have attempted to address such conflicts with the plain meaning of words in the proposed statements themselves.

If you are concerned about the interplay of specific policies, let us know. Let us know your proposed solution, as well.

The Commission, in its Final Report, recommended that a comprehensive set of policy statements replace the four existing policies, previously issued under Section 3 of the **Planning Act**: Mineral Aggregate Resources, Flood Plain Planning, Land Use Planning for Housing, and Wetlands.

Wetlands, Flood Plain Planning, Mineral Aggregate Resources

The government does not propose to change the policy substance of the existing Wetlands, Flood Plain Planning, and Mineral Aggregate Resources policy statements. The last two have been in place for quite a while, and municipalities, developers and interest groups have accepted and are working well with these statements. The Wetlands Policy Statement is quite new and recently went through a lengthy public consultation process. For this reason, these statements are not included in this consultation paper.

These policy statements will be summarized and included in the final set of policy statements which is sent to Cabinet for consideration at the end of the consultation period. In the Commission's proposed policies, the first two were included under Goal A: Natural Heritage and Ecosystem Protection and Restoration Policies. The last one was inserted by the Commission into Goal F: Non-renewable Resource Policies. We may follow the Commission's example or integrate these existing statements into the province's set of comprehensive policy statements in another manner, as appropriate.

What we are asking for now are your comments on these policy statements within the "shall be consistent with" legislative framework.

Land Use Planning for Housing

The government is interested in making changes to strengthen the existing Land Use Planning for Housing Policy Statement to the benefit of affordable housing. These changes have been incorporated into the proposed policy statements in this paper for your comment.

Other Policy Instruments

The proposed set of provincial policy statements also incorporates the government's stated interests regarding agricultural land, growth and settlement, and other land use planning issues. Given the recommendations of the Commission on these matters, the government is proposing to modify some of its previous policy directions. These modifications are included in the statements set out in this paper.

We want to hear from you about the changes to existing policies and what you think about the new policies in this paper.

** Please note that all existing policies and policy statements will stay in place until new comprehensive policy statements are adopted.*

5 Implementation Information

Currently, when new policy statements are issued under Section 3 of the **Planning Act**, they are effective immediately. When each of the four existing policy statements was issued, there were certain applications already in process and at an advanced stage. In such cases, it was more appropriate to have the applicant and/or the planning authority use their best efforts to implement the new policy statements. In this way, the implications of the new statement on current applications could also be assessed. We think this approach should be taken to implement the proposed comprehensive set of policy statements. Further details are set out in Goal G of the proposed statements in this paper.

The comprehensive policy statements are intended to be sufficiently detailed to clearly set out the provincial policy interests in land use decisions while allowing innovative and practical local implementation. They are intended to implement the Province's economic, environmental and social policy objectives in land use matters while giving guidance for local areas to achieve theirs.

Under this approach there may not be the need for detailed implementation guidelines for all the policies. The focus of the new approach to land use planning is on achieving the Province's policy objectives rather on how to achieve them.

We want your comments on whether further implementation details are appropriate and, if so, what the priorities should be for developing such details.

6 Comprehensive Policy Statements

A. Natural Heritage, Environmental Protection and Hazard Policies

GOAL 1

To protect the quality and integrity of ecosystems, including air, water, land, and biota; and, where quality and integrity have been diminished, to encourage restoration or remediation to healthy conditions.

- | | |
|--|---|
| <p>1.1 Development may be permitted only if the quantity and quality of water in ground water and surface water systems are not adversely affected.</p> <p>1.2 Development will not be permitted in significant ravines, river, stream, and natural corridors, and in the habitat of endangered, threatened and vulnerable species. Development will not be permitted in significant woodlands south and east of the Canadian Shield. Development will not be permitted on adjacent and related lands if it adversely affects the integrity of the natural features or ecological functions of the areas included in this statement. New infrastructure will be located outside these significant features unless it is demonstrated that there is no reasonable alternative.</p> <p>1.3 Except for areas covered in policy 1.2, areas of natural and scientific interest, groundwater recharge areas, significant wildlife habitat, and shorelines will be classified into areas where either (a) no development is permitted or (b) development may be permitted only if it does not adversely affect the features and functions for which the area is identified.</p> | <p>1.4 Except for areas covered in policy 1.2, development on lands adjacent to lakes, rivers, and streams may be permitted only if it does not adversely affect water quality, shoreline vegetation, bank stability, and wildlife habitat.</p> <p>1.5 Development may be permitted if it does not harmfully alter or destroy fish habitat, either directly or indirectly. There will be no net loss of fish habitat within the same watercourse, and a net gain of productive capacity in fish habitat wherever possible.</p> <p>1.6 In decisions regarding development, every opportunity should be taken to: maintain the quality of air, land, water, and biota; maintain biodiversity compatible with indigenous natural systems; and protect natural links and corridors. The improvement and enhancement of these features and systems are encouraged.</p> |
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GOAL 2

To ensure that development is not permitted in areas where site conditions or location may pose a danger to public safety or public health or result in property damage.

- 2.1 Development on lands adjacent to the Great Lakes and their connecting channels and the St. Lawrence River shorelines will generally be directed to areas outside the Regulatory Shoreline. Within the Regulatory Shoreline there are three Standards: the Regulatory Flood Standard, the Regulatory Dynamic Beach Standard, and the Regulatory Erosion Standard.

Within the Regulatory Flood Standard, new development will not be permitted within defined portions of the 100-year flood level along connecting channels. Within the Regulatory Dynamic Beach Standard, new development will not be permitted.

Within the Regulatory Shoreline, development will only be permitted in areas within the Regulatory Flood Standard and Regulatory Erosion Standard where: the flooding and erosion hazard can safely be addressed; new or existing hazards are not created or aggravated; or no adverse environmental effects will result. In addition, vehicles and people must have a way of safely entering and exiting the area during times of flooding and erosion emergencies. In all cases, new development must be carried out in accordance with established standards and procedures.

However, new development will not be permitted within the Regulatory Shoreline where the area is to be used for institutional uses or essential emergency services or for the disposal, manufacture, treatment or storage of hazardous substances and/or sewage.

- 2.2 Development adjacent to ravines, river valleys and streams should be restricted within the 100-year erosion limits.

- 2.3 Development will be directed away from hazardous sites wherever possible. Development will only be permitted on a hazardous site if no danger to public health or public safety or property damage would result, or if the site has been rehabilitated to remove or mitigate the hazard.

Development on or adjacent to lands affected by past mining activities will only be permitted if appropriate remediation or rehabilitation measures are undertaken to address and mitigate known or suspected abandoned mine hazards that may impact the proposed development.

Where lands affected by past mining activities have been rehabilitated, development or re-use of these lands will only be permitted if the proposed development will not alter, destroy, remove or impair any rehabilitation work; or preclude any future mineral development; or if no danger to public health or public safety or property damage would result.

- 2.4 Development may be permitted on a contaminated site if it has been determined that no danger to public health or public safety or property damage would result, or if the site has been rehabilitated or remediated.

B. Community Development and Infrastructure Policies

GOAL

To manage growth and change to foster communities that are socially, economically, environmentally, and culturally healthy, and that make efficient use of land, new and existing infrastructure, and public services and facilities.

1. The linkages between social and human service needs and land use planning should be recognized in land use planning decisions; and opportunities for an adequate distribution of facilities and services should be provided to residents diverse in ability, age, income and culture.
2. Public streets and places and facilities used by the public should be planned to meet the needs of pedestrians and should be designed to be safe, vibrant and accessible to all, including the disabled.
3. The well-being of downtowns and main streets should be fostered.
4. To enhance job opportunities and to broaden the economic base of communities, the development and implementation of community economic development strategies are encouraged, which link social, economic and environmental objectives.
5. Communities will be planned to minimize the consumption of land, promote the efficient use of infrastructure and public service facilities, and where transit systems exist or may be introduced in the future, promote the use of public transit.
6. The efficiency of transportation systems will be maximized by coordinating transportation plans with those of other relevant jurisdictions, integrating transportation modes, and making optimal use of existing and new transportation systems.
7. In existing built-up areas served by full municipal sewage and water services, intensification and mixed uses will be encouraged.
8. Servicing and infrastructure considerations will form an integral part of land use planning. Municipalities will plan servicing facilities which maintain and/or enhance the natural environment to accommodate expected growth. In areas serviced by full municipal sewage and water services, development will only be permitted if sufficient reserve capacity is available to accommodate it.

Development should be served by full municipal sewage and water services wherever possible, to ensure that there will be no adverse effect on the environment or public health. Where full municipal sewage and water services cannot be provided, and where site conditions permit, multi-lot/unit development should be serviced by public communal services. Where the use of public communal services is not feasible, and where site conditions permit, development may be serviced by individual on-site systems.
9. Extensions to built-up areas served by full municipal sewage and water services may be permitted only if the following conditions are met:
 - (a) the amount of land to be included within the extension be justified, based on population and employment projections for a planning horizon of not more than 15 - 20 years, unless a longer time period has been established for specific regional municipalities as a result of a comprehensive provincial planning exercise, such as that coordinated by the Office for the Greater Toronto Area; and

- (b) new development areas are logical extensions of the existing built-up areas, and will be served by full municipal sewage and water services which have sufficient reserve capacity; and
 - (c) a strategy for the development, staging, and financing of the infrastructure for the extension is adopted; and
 - (d) opportunities for the efficient use of land, infrastructure, and public service facilities through intensification and mixed uses in existing built-up areas are provided; and
 - (e) the extension will have a compact form and a mix of uses and densities that efficiently use land, infrastructure, and public service facilities; and
 - (f) prime agricultural areas are only included if there is no alternative, but in all cases speciality crop land will be avoided.
10. Extensions to built-up areas not served by full municipal sewage and water services may be permitted only if the following conditions are met:
- (a) the amount of land to be included within the extension be justified, based on population and employment projections for a planning horizon of not more than 15 - 20 years, unless a longer time period has been established for specific regional municipalities as a result of a comprehensive provincial planning exercise, such as that coordinated by the Office for the Greater Toronto Area; and
 - (b) new development areas are logical extensions of the existing built-up areas; and
 - (c) a strategy for the development, staging, and financing of any required infrastructure for the extension is adopted; and
 - (d) the long-term suitability of the site for individual on-site systems or public communal services is demonstrated; and
 - (e) the extension will have a compact form and densities and uses appropriate to the sewage and water systems proposed; and
 - (f) prime agricultural areas are only included if there is no alternative, but in all cases speciality crop land will be avoided.
11. In recreational and rural areas, development that is not an extension of the built-up area may be permitted only if the following conditions are met:
- (a) the demand for the type and scale of development is justified in relation to demographic forecasts for the area, and to the amount of land available for development in existing built up areas; and
 - (b) rural and recreational characteristics are defined and protected; and
 - (c) the cumulative effects of development on rural and recreational characteristics and on natural features and functions are assessed and are acceptable; and
 - (d) the long-term suitability of the site for public communal services or individual on-site systems is demonstrated; and
 - (e) the long-term public costs of reasonably expected infrastructure and public services and public service facilities are assessed and are acceptable.
12. Reasonable public access to public land and water bodies should be maintained or provided.
13. Policies and decisions regarding infrastructure and development should respect and conserve significant landscapes, vistas, ridge-lines, and areas of natural beauty.

14. Policies and decisions regarding infrastructure and development should respect and conserve significant cultural heritage resources.
15. Development and infrastructure may be permitted on sites containing significant archaeological resources if the site is studied and significant archaeological resources are removed, catalogued and analysed prior to development or construction. Where archaeological resources must be preserved on site to ensure their heritage integrity, only development and infrastructure which maintains the heritage integrity of the site will be permitted.
16. The continuous linear characteristics of significant transportation and infrastructure corridors and rights-of-way, including abandoned railway corridors, will be protected.
17. New permanent town sites will not be permitted in areas without municipal organization, and development will generally be restricted.

Permanent residential development will not be permitted in areas without municipal organization where opportunities for permanent residential development exist in nearby municipalities. Development will only be permitted if:

- (a) it is directly related to a resource, and proximity to the resource is necessary; or
- (b) it is appropriate to specific native community needs; or
- (c) it is within or adjacent to an existing built-up area; and
- (d) the long-term suitability of the site for individual on-site systems has been demonstrated. Development will only be permitted on public communal water and sewage services in the situation where communal services are required to address remediation of failed individual on-site systems.

Where housing close to a resource extraction site is necessary due to extreme distance from any existing built up area, this accommodation should be of a temporary and portable nature.

18. Land uses such as residences, day care centres, or educational, and health facilities, which may be sensitive to the effects of odour, noise, and other contaminants, should be appropriately designed, buffered and/or separated from major facilities such as airports, transportation corridors, sewage treatment facilities, waste sites, industries and aggregate activities to prevent adverse effects, including material discomfort and loss of enjoyment of property, from these emissions and contaminants.

C. Housing Policies

GOAL

To provide opportunities in each municipality for the creation of housing that is affordable, accessible, adequate and appropriate to the full range of present and expected households in the housing market area.

1. The opportunity for housing types to meet the present and expected needs of the full range of households in the housing market area will be provided.
2.
 - (a) Opportunities will be provided so that at least 30 per cent of new residential units created through development and intensification will be affordable housing.
 - (b) Opportunities will be provided so that, where possible, half of the new housing required through policy 2(a) is affordable to the lowest 30 per cent of the household income distribution for the housing market area. Full use will be made of innovative development and redevelopment, small-scale intensification, residential conversion, public lands, government programs, innovative development standards and other available tools to implement this provision.
 - (c) Such opportunities will be provided in each community planning area.
3. Opportunities for small-scale residential intensification (including infill, apartments in houses, and rooming, boarding and lodging houses), will be provided in all areas permitting residential use, except where infrastructure is inadequate, or there are significant physical constraints.
4. The use of residential development standards that facilitate affordable housing and compact urban form is encouraged.
5. Where land owned by the provincial government is declared surplus and is suitable for housing, opportunities will be provided for the development of affordable housing. Small sites will be dedicated to not-for-profit housing; large sites will serve a broader income range.
6. A sufficient supply of land for residential redevelopment and development and intensification, will be maintained in accordance with policies under Goal B to allow for the housing types required to meet the needs of the full range of present and expected households in the housing market area. Specifically:
 - municipalities will maintain at least a continuous ten-year supply of land designated for residential development or redevelopment; and
 - where greenfield development is to occur, municipalities will maintain at least a continuous three-year supply of land for such development in draft approved/registered plans of subdivision.
7. Alternative approaches to implementing Goal C may be used by:
 - townships, villages and towns with populations below 5,000, other than:
 - villages and towns which are bounded by a township with a population in excess of 5,000, and
 - those within the Census Metropolitan Areas of London, Toronto and Windsor; and
 - areas under the jurisdiction of planning boards, except in those portions of planning areas that are cities or towns.

D. Agricultural Land Policies

GOAL

To protect prime agricultural areas for long-term agricultural use.

1. Prime agricultural areas will be protected for agricultural use.
2. Extensions of built-up areas affecting prime agricultural areas will only be permitted if the policies of Goal B are met.
3. Non-agricultural uses, including public service facilities, are not permitted within prime agricultural areas and are encouraged to locate in existing communities to support, where possible, community economic development. Infrastructure may be permitted within prime agricultural areas only if it has been approved through an environmental assessment process.
4. Lot creation in prime agricultural areas is generally discouraged, and will only be permitted for:
 - primary agricultural uses where the severed and retained lots are intended for primary agricultural uses and are of a size appropriate for the type of agricultural use(s) common in the area, and are sufficiently large to maintain flexibility for future changes in type or size of agricultural operation;
 - existing agriculturally-related uses;
 - residences surplus to farming operations as a result of farm consolidation;
 - infilling residential lot;
 - infrastructure where the facility cannot be accommodated through the use of easements or right-of-way; and
 - legal or technical reasons.
5. In prime agricultural areas, extraction of mineral aggregates on prime agricultural lands may be permitted as an interim use provided that agricultural rehabilitation of the site will be carried whereby substantially the same areas and same average soil quality for agriculture are restored.

On prime agricultural lands, extraction may occur below the water table and complete agricultural rehabilitation is not required only if it is demonstrated that:

 - (a) there is a substantial quantity of aggregate below the water table warranting extraction below the water table;
 - (b) other alternatives have been considered by the applicant and found unsuitable. Other alternatives include resources in areas of classes 4 to 7 agricultural lands, resources on lands committed to future urban uses, and resources on prime agricultural lands where rehabilitation to agriculture is possible; and
 - (c) in those areas remaining above the water table following extraction, agricultural rehabilitation will be maximized.
6. New non-farm development and new or expanding livestock facilities will comply with the minimum distance separation formulae.

E. Conservation Policies

GOAL

To pursue energy conservation, water conservation, and the reduction, re-use and recycling of waste.

1. Patterns of land use and development will be planned and modified to best promote efficiency of energy and water use and reduce per capita consumption.
2. Water and energy conservation and waste minimization will be incorporated into the siting and design of landscaping, infrastructure, and buildings.
3. Patterns of land use and development will be planned and modified to encourage the most efficient modes of transportation and to reduce the need for private automobile use in daily life.
4. Where possible, municipalities will be designed to give priority to appropriate energy-efficient, low-polluting travel, including walking, bicycling, and public transit.
5. The built environment and its embodied energy and resources will be conserved, wherever possible, through re-use, recycling and renovation. Provision should be made for the establishment of waste management facilities to accommodate planned development and complement reduction, re-use and recycling objectives.

F. Mineral and Petroleum Resources Policies

GOAL

To protect mineral and petroleum resource operations, deposits of mineral and petroleum resources, and areas of potential mineral and petroleum resources for resource use.

1. Mineral and petroleum resource operations, deposits, and areas of potential mineral and petroleum resources will be identified for resource use and protected from incompatible development.
2. In areas of deposits and areas of potential mineral and petroleum resources, development that precludes or hinders future access to and use of these resources will only be permitted if:
 - (a) resource use is not feasible; and
 - (b) if existing or proposed uses serve a greater long-term interest of the general public than does resource use.
3. Development on lands adjacent to mineral and petroleum resource operations, or adjacent to areas of mineral and petroleum resource deposits will only be permitted if the development or infrastructure would not preclude or hinder the continuation of the existing operations, and would not preclude the development of the resource, and if issues of potential public health and safety and environmental protection are addressed.
4. Rehabilitation of mineral and petroleum resource lands will be required after extraction and other related activities have ceased.

G. Interpretation and Implementation Policies

INTERPRETATION

This comprehensive set of policy statements is issued under Section 3 of the **Planning Act** by the Ministry of Municipal Affairs, in conjunction with other ministries.

Section 3 of the **Planning Act** requires that, in exercising any authority that affects planning matters, planning authorities “shall have regard to” policies adopted under the Act. It is proposed that “shall have regard to” be replaced by “shall be consistent with.”

This proposed change would place limits on the decision-maker, but would provide limited flexibility. The application of “shall be consistent with” means that if the policy intent has been met, practical and innovative implementation measures are possible.

The comprehensive set of policies is to be read in conjunction with other policy statements issued under the **Planning Act**, and other land use planning policy approved by the Lieutenant Governor in Council for any specific area of the province. The comprehensive set of policies should also be read in its entirety, and all applicable policies applied to each situation.

This comprehensive set of policy statements does not supersede or take priority over any other policy statement. Conflicts between policy statements will be resolved by the clear meaning of words. For example, if one policy prohibits development in provincially significant wetlands and other policies encourage aggregate extraction or affordable housing, the prohibition should rule out both extraction and housing in that wetland. Where conflicts still remain, those conflicts will be resolved in municipal plans as the province and municipalities make best efforts to make decisions consistent with provincial policies.

IMPLEMENTATION

The following principles shall be used to implement provincial policies and make them effective:

1. Policy statements take effect upon being approved by Order in Council of the Lieutenant Governor in Council.
2. Policy statements will be implemented by municipalities through municipal plans, lot creation, zoning by-laws, minor variances, and by other planning tools, and by other planning jurisdictions through their decisions.
3. Policy statements apply whether or not municipal plans have been amended to reflect such policy. Until a municipal plan has been amended to incorporate policy statements, every attempt will be made to apply the policy in all development decisions where a planning approval is required.

The new policy statements apply to applications made but not approved when policy takes effect. In applying new policies to such applications, the applicant and all planning jurisdictions must make their best efforts to achieve the policy to the greatest extent possible. Decisions of planning jurisdictions on such applications must be tempered by fairness, including a consideration of: planning and front-end agreements, issues considered and decisions and formal agreements already made with municipalities and other planning jurisdictions, and conformity of the application to current municipal plans and consistency with provincial policy.

4. The Ministry of Municipal Affairs, together with other ministries, and in consultation with the public, may prepare guidelines to assist planning jurisdictions in implementing policy statements. Implementation guidelines will interpret but will not derogate from policy.
5. Ministries will provide available information to planning jurisdictions on matters of provincial significance outlined in policy statements, and may assist planning jurisdictions in mapping and developing their policies.
6. These policies are to be applied in dealing with applications under the **Planning Act**. Where applications are submitted under the **Planning Act** and any other act, all applicable policies and provisions should apply where possible. Where there is a conflict between any of these policies and the provisions of any Act or regulations, the provisions of the legislation or regulations will apply.

Infrastructure may be authorized under legislation other than or in addition to the **Planning Act**. Other authorizing legislation may include the **Environmental Assessment Act**, the **Ontario Energy Board Act**, and the **Ontario Water Resources Act**. An environmental assessment process may be applied to new infrastructure as part of this authorization process. Generally, such a process involves the consideration of alternatives to the undertaking and location and alignment alternatives early in the planning process to avoid significant features and environmental impacts; and the incorporation of siting, construction methods and mitigation measures to minimize environmental impacts where avoidance of the feature is not possible.

In this context, the term "environment" is broadly defined and includes: air, water and land; plant and animal life; social economic and cultural conditions; buildings and structures; and emissions. As part of the environmental assessment planning process, it is the responsibility of the proponent to consider all applicable policies in evaluating effects on the environment. The applicable policies of Goals A to F would therefore be considered as part of the authorization process for the undertaking.

7. Municipal plans should integrate all applicable policies, should apply appropriate land use designations and policies, and should:
 - include maps or other descriptions of areas referred to in policy statements; and
 - indicate the amount of development which will be permitted in urban and rural areas of the municipality, based on:
 - long-term population and employment projections,
 - the amount of existing development in the municipality, and
 - an evaluation of opportunities for intensification and expansion of existing built-up areas within and adjacent to the municipality; and
 - be integrated with the human services plan, community economic development strategy, and servicing plan; and
 - adopt policies and designations based on watershed considerations for matters of development and change affecting water; and
 - be coordinated with the plans of adjacent municipalities.

8. An environmental impact study (EIS), carried out in accordance with established procedures (which may be outlined in legislation), will be required for development proposals in the following areas:
- lands adjacent to a significant ravine, woodland, or river stream or natural corridor, or to the habitat of endangered, threatened and vulnerable species, in accordance with policy A1.2;
 - lands adjacent to areas of natural and scientific interest, groundwater recharge areas, wildlife habitat and shorelines, in accordance with policy A1.3; and within any feature where development is not prohibited; and
 - lands adjacent to lakes, rivers and streams, in accordance with policy A1.4.

An EIS shall include:

- (a) a description of the existing natural environment that will be affected or that might reasonably be expected to be affected, either directly or indirectly;
- (b) the environmental effects that might reasonably be expected to occur;
- (c) alternative methods and measures for mitigation of potential environmental effects of the proposed development; and
- (d) a monitoring plan to measure the potential effects on the environment.

An environmental impact study will provide a basis for assessing impacts. Where infrastructure which is subject to the **Planning Act** has been authorized under an environmental assessment process, and has undergone a systematic process of examining impacts on the environment, an EIS will not be required. Where infrastructure which is subject to the **Planning Act** is not authorized under an environmental assessment process, an EIS will be required.

We want to know what you think of the details of the proposed provincial policy statements in this paper.

Definitions

Abandoned mine hazards:

means surface or underground mine workings, surface buildings or structures, tailings, waste-rock piles, areas of subsidence or any other component of a mine site that has not been rehabilitated.

Adjacent lands:

means lands contiguous to an identified natural feature or function or resource.

In relation to leda or marine clays means:

- an area defined as the horizontal limit of historical regressive landslides and an allowance to achieve "factor of safety" slope equal to or greater than 1.5:1.

In relation to other features or systems, means those lands within:

- the distance defined for a specific feature in an implementation guideline, or
- the distance established for a specific feature in an approved official plan,

whichever is greater.

Adversely affect:

means one or more of:

- impairment of the quality of the natural environment for any use that can be made of it;
- injury or damage to property or plant and animal life;

and/or

- rendering any property or plant or animal life unfit for use by man.

Affordable:

means houses where annual costs do not exceed 30 per cent of gross annual household income. Annual costs are defined as:

- gross rent; or
- mortgage payments (covering principle and interest, and assuming 25 years amortization with a 25% down payment) plus property taxes.

Affordable housing:

means accommodation which is affordable to households with incomes in the lowest 60 per cent of the income distribution for the housing market area. Affordable housing also includes assisted housing.

Agricultural use:

means primary agricultural uses, secondary agricultural uses, and agriculture-related uses:

Primary agricultural uses are the growing of crops or raising of livestock and other animals for food or fur, including poultry and fish;

Secondary agricultural uses are uses secondary to the farm operation, such as home occupations, home industries, and uses that produce value-added agricultural products from the farm operation.

Agriculture-related uses are those farm-related commercial and farm-related industrial uses that are directly related to the farm operation and are required in close proximity to farm operations.

Archaeological resources:

means the remains of any building, structure, activity, place, or cultural feature or object which, because of the passage of time, is on or below the surface of land or water, and is of significance to the understanding of the history of a people or place.

Areas of natural and scientific interest (ANSI)

means areas of land and water containing natural landscapes or features which have been identified as having values related to natural heritage protection, scientific study, or education.

Biodiversity:

means the variety of life in all forms, levels, and combinations. It includes ecosystem diversity, species diversity, and genetic diversity.

Biota:

means all plant and animal life.

Built heritage resources:

means a building, structure, monument, or installation (or a group of them), or remains associated with architectural, cultural, social, political, economic, or military history.

Built-up area:

means the area where development is concentrated, contiguous with the developed portions of hamlets, villages, towns and cities.

Connecting channels:

means the rivers (St. Mary's, St. Clair, Detroit and Niagara) which convey water flows between Lakes Superior, Huron, St. Clair, Erie, and Ontario. This also includes the St. Lawrence River.

Contaminated site:

means property or lands that, for reasons of public health and safety or environmental quality, are unsafe for development as a result of past human activities, particularly those activities that have left a chemical or radioactive residue. Such sites include some industrial lands, some transportation facilities (i.e., rail yards), electrical facilities, and some abandoned mine hazards.

Cultural heritage landscape:

means a landscape which has been altered through human activity and has been identified as being important to a community.

Cultural heritage resource:

means archaeological resources, built heritage resources, and cultural heritage landscapes:

Cumulative effects:

means the combined environmental effects of human actions occurring in a defined area over time.

Defined portions of the 100-year flood level along the connecting channels:

means those areas which are hydraulically critical to the conveyance of the flows associated with the 100-year flood level along the connecting channels and where physical intrusions of any size, shape or configuration will create new flood hazards, cause updrift and/or downdrift impacts and/or cause environmental impacts.

Development:

means:

- the construction, erection or placing of a new building or structure;
- the making of a significant addition or alteration to an existing building or structure;
- a significant change in use or in intensity of use of any existing building, structure or premises;
- activities such as site-grading, excavation, removal of peat, or the placing or dumping of fill; or
- drainage works.

The following are not considered as development for the purposes of these policies:

- infrastructure authorized under an environmental assessment process; and
- those works subject to the **Drainage Act**.

Ecosystem:

means systems of plants, animals, and micro-organisms, together with the non-living components of their environment, related ecological processes, and humans.

Endangered species:

means any indigenous species of fauna or flora that, on the basis of the best available scientific evidence, is indicated to be threatened with immediate extinction throughout all or a significant portion of its Ontario range. Endangered species are identified in Regulations under the **Endangered Species Act**.

Environmental assessment process:

means a process for authorization of an undertaking under legislation such as the **Environmental Assessment Act** and **Ontario Energy Board Act**.

Environmental impact study (EIS):

means a study prepared in accordance with established procedures, to identify and assess the impacts of development on a specified feature or system.

Erosion:

means a volumetric reduction of land by natural processes.

Established Standards and Procedures:

(in reference to the Great Lakes and their connecting channels and the St. Lawrence River shoreline) means those principles, methods and procedures which are used and applied in current hydro-technical engineering practices, geo-technical practice and/or disciplines such as geology, geomorphology, botany and zoology. These include:

Floodproofing Standard which is defined as a method or procedure to address flooding, erosion and/or other water related hazards, including lake levels and wind set up. Fulfilling the defined floodproofing standard involves a combination of appropriate and acceptable structural changes and/or adjustments incorporated into the basin design and/or construction or alteration of individual buildings, structures, or properties subject to flooding so as to reduce or eliminate flood damages.

Protection works standard which is defined as a method or procedure to address flooding, erosion and/or other water related hazards. Fulfilling the defined protection works standard involves a combination of appropriate and acceptable non-structural works which are intended to reduce damages caused by flooding, erosion and/or other water related hazards. Where protection works are considered appropriate and acceptable, they must be combined with an allowance to address slope stability and flood/erosion hazards.

Access standard (ingress and egress) which is defined as a method or procedure to ensure safe vehicular and pedestrian movement during times of flooding, erosion and/or other water related hazards.

Essential emergency services:

means services, such as those provided by fire, police and ambulance stations and electrical substations, which would be impaired during an emergency as a result of flooding and failure of floodproofing measures and/or protection works, and/or erosion.

Existing built-up area:

means the area where development is concentrated and a variety of land uses are present; this includes the currently developed portions of hamlets, villages, towns and cities.

Farm consolidation:

means the joining together of two farm parcels that are abutting.

Fish:

includes (a) parts of fish; (b) shellfish, crustaceans, marine animals and any parts of shellfish, crustaceans, or marine animals; and (c) the eggs, sperm, spawn, larvae, spat and juvenile stages of fish, shellfish, crustaceans and marine animals.

Fish habitat:

means the spawning grounds and nursery, rearing, food supply, and migration areas on which fish depend directly or indirectly in order to carry out their life processes.

Flooding:

(in reference to the Great Lakes and their connecting channels and the St. Lawrence River shoreline) means a rise in the water level resulting from the inundation of areas adjacent to a lake or connecting channel not ordinarily covered by water.

Great Lakes - St. Lawrence River system:

(in reference to the Great Lakes and their connecting channels and the St. Lawrence River shoreline) means the major water system consisting of Lakes Superior, Huron, St. Clair, Erie and Ontario and their connecting channels, and the St. Lawrence River within the boundaries of the Province of Ontario.

Ground water:

means:

- water occurring below the soil surface that is held in the soil itself;
- sub-surface water, or water stored in the pores, cracks, and crevices in the ground below the water table; and
- water occurring in the zone of saturation below the earth's surface.

Ground water and surface water systems:

include watersheds, head-waters, ground water recharge areas, ground water discharge areas, aquifers and lake basins.

Ground water discharge area:

means an area where there is an addition of ground water to surface water systems that maintains base flow in watercourses, lakes, wetlands and other water-bodies.

Ground water recharge area:

means an area from which there is significant addition of water to the ground water regime.

Hazardous site:

means property or lands that, for reasons of public health, safety, or potential property damage, are unsafe for development as a result of naturally occurring or human-made perils. They may include unstable lands, or areas subject to changes as a result of their previous use as sites for petroleum operations, sites prone to erosion, slopes and banks, unstable soils such as some organic and clay soils (leda and portlandia clays), areas of unstable bedrock (karst topography), sites containing orphan wells, suspended wells, capped wells, underground caverns (petroleum wells and brine wells and caverns) and abandoned mine hazards.

Hazardous substances:

(in reference to the Great Lakes and their connecting channels and the St. Lawrence River shoreline) means substances which individually, or in combination with other substances are normally considered to pose a danger to public health, safety and the environment. These substances generally include a wide range of materials that are toxic, ignitable, corrosive, reactive, radioactive or pathological.

Head-water:

means the source area of a stream.

Housing market area:

refers to an area with a high degree of social and economic interaction which forms a separate and distinct market for accommodation. The housing market area generally is equivalent to the area within the boundaries of an upper-tier municipality, separated municipality, city in the North, planning board, or planning authority. Where housing markets extend significantly beyond these boundaries, then the housing market area will be based on the larger market area.

Infilling:

For the purposes of Goal D, infilling is defined as the creation of a residential lot between two existing non-farm residences on separated lots which are situated on the same side of a road and not more than 100 metres apart.

Infrastructure:

means physical structures that form the foundation for development. Infrastructure includes: sewage and water works, waste management facilities, electric power, communications, transit and transportation corridors and facilities, and oil and gas pipelines and associated facilities.

Intensification:

means the development of a property or site at a higher density than previously existed. It includes:

- redevelopment, or development within existing communities;
- infill development, or development on vacant lots or underdeveloped lots within a built-up area;
- conversion, or the change of use of an existing structure or land use; and
- creation of apartments or other accommodation in houses.

Long term population and employment projections:

means population and employment projections contained in an approved official plan. Long term population and employment projections should not exceed 15 to 20 years, unless a longer time period has been established for specific regional municipalities as a result of a comprehensive provincial planning exercise, such as that coordinated by the Office for the Greater Toronto Area.

Minerals:

Industrial minerals are generally synonymous with non-metallic minerals and include any rock, mineral or other naturally occurring substance of present or potential economic value, exclusive of metallic ores, mineral aggregates and mineral fuels.

Metallic minerals have a high specific gravity and a metallic lustre from which metals (such as copper, nickel, or gold) are derived.

Non-metallic minerals lack the common properties of metallic minerals, such as metallic lustre or high specific gravity, and are generally of value for intrinsic properties of the mineral itself and not as a source of metal. They are generally synonymous with non-aggregate industrial minerals such as asbestos, gypsum, nepheline syenite, rock salt and talc.

Mineral Aggregates:

for the purposes of Policy D5, means sand, gravel, shale, limestone, dolostone, sandstone and other mineral materials suitable for construction, industrial, manufacturing and maintenance purposes, but does not include metalliferous minerals, fossil fuels, or non-aggregate industrial minerals such as asbestos, gypsum, nepheline syenite, peat, salt and talc or mine tailings.

Mineral deposits:

means an usually large or rich concentration of valuable minerals identified within a small part of the Earth's crust. An area of identified mineral potential may contain one or several mineral deposits.

Mineral and petroleum resource operations:

means:

- oil, gas, and brine wells, mining operations, and facilities for the underground storage of natural gas and other hydrocarbons;
- areas of existing mining land dispositions; and
- past-producing mines with remaining mineral development potential.

Minimum Distance Separation formulae:

means formulae developed by the Ministries of Agriculture and Food, of Environment and Energy, and of Municipal Affairs to separate uses so as to reduce incompatibility concerns about odour from livestock facilities.

Mixed use:

means a variety of uses in a building or community in close proximity, possibly including housing, recreational, and commercial, institutional, industrial, or other employment uses.

Natural geological hazards:

means features such as karst topography, and naturally occurring radon gas which, for reasons of public health, safety, or potential property damage, are unsafe for development as a result of naturally occurring perils.

Net gain:

when referring to fish habitat, means that there is an actual increase in the area and/or number of fish habitats in a watercourse through:

- the creation of new fish habitat areas, or
- the expansion of and/or the rehabilitation of existing fish habitat areas.

No net loss:

means:

- there is no negative impact on the fish habitat; or
- mitigation measures are taken to decrease the impact and/or rehabilitate the fish habitat; or
- comparable fish habitat is created elsewhere or appropriate compensation is made.

One hundred-year erosion limits:

(for lands adjacent to ravines, river valleys and streams) means the 100-year angle of stability for the soil parent materials plus an allowance for erosion-related hazards.

One hundred-year flood level

(in reference to the Great Lakes and their connecting channels and the St. Lawrence River shoreline) means the peak still water level due to the combined occurrences of mean monthly lake levels and wind setup that is equalled or exceeded in 1% of all years. In connecting channels and the St. Lawrence River, the 100-year flood level is the peak instantaneous still water level that is exceeded in 1% of all years.

Orphan gas, oil and brine wells:

means a gas, oil or brine well with no known previous ownership.

Other water-related hazards:

means water associated phenomena other than flooding and wave uprush which act on shorelines. This includes, but is not limited to, wave spray, ponding due to wave overtopping, ice accumulation and ice forces.

Petroleum resources:

include oil and gas deposits and facilities for the underground storage of natural gas and other hydrocarbons.

Deposits of petroleum resources include oil, gas, or brine resources which have been identified through exploration and verified by preliminary drilling or other forms of investigation and may include sites of former operations where resources area still present.

Potential mineral and petroleum resources:

means areas highly favourable to the discovery of deposits of mineral or petroleum resources due to favourable geology, the presence of known deposits or other technical evidence.

Prime agricultural area:

means an area where prime agricultural land predominates. Prime agricultural areas may also be identified through an alternative land-evaluation system approved by the Ministry of Agriculture and Food.

Prime agricultural land:

means land that includes specialty crop lands and/or Canada Land Inventory Classes 1, 2, and 3 agricultural soils.

Protection works:

(in reference to the Great Lakes and their connecting channels and the St. Lawrence River shoreline) means non-structural and structural works which are intended to reduce damage caused by flooding, erosion and/or other water related hazards.

Public lands:

means lands owned by a public body, but does not include crown lands or "public lands" as defined in the Public Lands Act.

Public service facilities:

means buildings and structures for the provision of public services.

Public services:

means programs and services provided or subsidized by a government or other public body. Examples include social assistance, health, and educational programs, and cultural services.

Recreation and rural areas:

means lands in the rural area which are not prime agricultural areas.

Regulatory dynamic beach standard:

(in reference to the Great Lakes and their connecting channels and the St. Lawrence River shoreline) means the approved standards involving the combined influence of flooding and a dynamic beach allowance to define the shoreline dynamic beach limits for regulatory purposes.

Regulatory erosion standard:

(in reference to the Great Lakes and their connecting channels and the St. Lawrence River shoreline) means the approved standards involving the combined influence of stable slope, recession, and/or erosion allowance to define the shoreline erosion limits for regulatory purposes.

Regulatory flood standard

(in reference to the Great Lakes and their connecting channels and the St. Lawrence River shoreline) means the approved standards involving the combined influence of lake levels, wave uprush and other water related hazards used to define the shoreline flood limits for regulatory purposes.

Regulatory shoreline:

(in reference to the Great Lakes and their connecting channels and the St. Lawrence River shoreline) means the land, including that covered by water, between the international boundary, where applicable, and the furthest landward limit of the Regulatory Flood Standard, Regulatory Erosion Standard, or the Regulatory Dynamic Beach Standard.

Rehabilitate:

means, after extraction, to treat land so that the use or condition of the land is restored to its former use or condition, or is changed to another use or condition in accordance with applicable legislation.

Reserve water and sewage plant capacity:

means design capacity in a water or sewage treatment facility which is not yet committed to existing or approved development

Rural and recreational characteristics:

means elements of a municipality's physical, environmental, social, or cultural fabric through which its identity or uniqueness has evolved and is defined. Examples include historic settlement patterns, natural or cultural resources, waterways, and distinctive landscapes or vistas.

Sewage and water systems:

Full municipal sewage and water services, means piped sewage and water services that are connected to a centralized waste water treatment facility and provided by a municipality.

Public communal services, means sewage works and sewage systems, and water works that provide for the distribution, collection or treatment of sewage or water but which:

- are not connected to full municipal sewage and water services;
- are for the common use of more than five residential units/lots; and
- are owned, operated, and managed by either:
 - the municipality; or
 - another public body; or
 - where municipal ownership cannot be achieved, by a condominium corporation or single owner through a responsibility agreement with the municipality, which requires municipal assumption of the communal services in the event of default.

Individual on-site systems, means individual autonomous water supply and sewage disposal systems, that are owned, operated and managed by the owner of the property upon which the system is located and which do not serve more than five residential units/lots.

Significant:

means, in regard to natural features and functions, ecologically important to the natural environment in terms of amount, content, representation, or effect and contributing to the quality and integrity of an identifiable ecological region or natural heritage system; in regard to matters other than natural features and functions, important in terms of amount, content, representation, or effect.

Significant archaeological resources:

means a resource of known archaeological significance, as well as an area with medium or high potential.

Specialty crop land:

means areas where specialty crops such as tender fruits (peaches, grapes, cherries, plums), other fruit crops, vegetable crops, greenhouse crops, and crops from agriculturally developed organic soil lands are predominantly grown, usually resulting from:

- soils that have suitability to produce specialty crops, or lands that are subject to special climatic conditions, or a combination of both; and/or
- a combination of farmers skilled in the production of specialty crops, and of capital investment in related facilities and services to produce, store, or process specialty crops.

Stable slope:

means the angle a slope would achieve when toe erosion is absent.

Surplus residence:

means an existing second farm residence built prior to 1978 and surplus to the farm, or an existing farm residence that is rendered surplus as a result of farm consolidation.

Threatened species:

means any indigenous species of fauna or flora that, on the basis of the best available scientific evidence, is indicated to be experiencing a definite non-cyclical decline throughout all or a major portion of its Ontario range, and that is likely to become an endangered species if the factors responsible for the decline continue unabated.

Transportation system:

means public corridors, transit systems, roads, pathways, and other facilities for the movement of people or goods. Modes of transportation in these systems may include automobile, bus, train, truck, aircraft, bicycle, or foot.

Unorganized areas:

means those parts of the province without municipal organization.

Vulnerable species:

means any indigenous species of fauna or flora that is represented in Ontario by small but relatively stable populations, and/or that occurs sporadically, or in a very restricted area of Ontario, or at the fringe of its range, and that should be monitored periodically for evidence of a possible decline.

Water quality and quantity:

is measured by indicators such as: minimum base flow, oxygen levels, suspended solids, temperature, bacteria, nutrients, hazardous contaminants, and hydrologic regime in accordance with policies and guidelines to be established by the province.

Wave uprush:

means the rush of water up onto a beach, bluff or structure following the breaking of a wave; the limit of wave uprush is the point of farthest landward rush of water onto the shoreline.

Wildlife habitat:

means areas of the natural environment upon which wildlife depend for survival as self-sustaining populations in the wild, including land and water needed for cover, protection, or food supply. Wildlife includes all wild mammals, birds, reptiles, amphibians, fishes, and invertebrates. Areas included may be deer yards, nesting areas, aquatic habitat, waterfowl staging areas, and habitat of endangered and threatened species.

Woodlands:

means forested areas in the natural and urban landscape that assist in achieving continuous environmental, economic and social benefits. Woodlands are treed areas which meet the minimum number of trees specified in the **Trees Act, 1980** and are greater than one hectare in size. Woodlands provide wildlife habitat, recreational opportunities and soil and water conservation as well as forest products. They are also an integral functional component of the landscape and contribute to its overall diversity.

* These definitions form part of the comprehensive set of policy statements and should be read in conjunction with them.

Notes & Comments

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A New Approach to Land Use Planning

Overview of the Proposed Policy Statements

For Ontario's planning process to work well, it is important that the government provide clear direction on what planning is meant to accomplish. In the current system, there is no such overall vision. Municipalities, developers and builders must follow an often haphazard and complicated collection of policies and guidelines.

The land use planning system must be improved. It has to be faster, easier to follow and provide protection for the environment. Based on the recommendations of the Commission on Planning and Development Reform, the government has developed a set of proposed policy statements that set out clearly the overall goals and policies for the province's land use planning system. The final policies will become policy statements authorized under the Planning Act.

The public will be asked to provide comments and suggestions on these proposed statements during a 90-day consultation period, which begins immediately. Six policy areas are covered:

- **natural heritage and ecosystem protection, restoration and hazards**
- **community development and infrastructure**
- **housing**
- **agricultural land**
- **conservation of energy and water**
- **mineral resources**

Natural Heritage and Ecosystem Protection, Restoration and Hazards

A. Natural Heritage Features and Environmental Protection

Policies in this area deal with environmentally sensitive features that should be protected from development, including woodlots, ravines, natural heritage features and systems, and fish habitats.

B. Hazards

Some areas are not suitable for development because site conditions may be hazardous to public health and safety, or property damage may occur. Included are policies on the Great Lakes and St. Lawrence River shoreline, erosion, and hazardous or contaminated sites.

Community Development and Infrastructure

The many issues related to community development are covered here: transportation and infrastructure; growth and settlement; development in unorganized areas; and natural cultural features.

Policies have also been included on social planning and economic development.

Housing

This policy deals with planning for affordable housing and will replace the government's current *Land Use Planning for Housing Policy Statement*. Municipalities must provide for 30 per cent affordable housing, an increase of five per cent. In cases where the housing market area is larger than the municipality, some municipalities will work together.

Agricultural Land

The protection of prime agricultural land is the issue here: which areas should have no development and which areas can undergo development that is not related to farming. These policies will replace the current *Foodland Guidelines*.

Conservation

Conservation policies promote the efficient consumption of energy and water, through appropriate land use planning. The issues of working toward waste reduction and developing efficient transportation systems are also included.

Mineral Resources

Existing operations, deposits and areas where resources may potentially be located are to be protected from incompatible development. Development in these areas will be permitted only if extracting the resource is not feasible or if the proposed land use will better serve the public interest.

**The deadline for submissions is
March 14, 1994.**

**If you would like to request the full text of
the proposed policy statements, please
contact:**

Consultation Project
Municipal Planning Policy Branch
Ministry of Municipal Affairs
(416) 585-6226



Ministry of
Municipal
Affairs
Ontario

A New Approach to Land Use Planning

Streamlining the System

The government intends to fundamentally reform the way in which Ontario's cities, towns and rural areas are planned and developed. This will entail a complete overhaul of the province's land use planning system that involves people at all levels: citizens, builders and developers, municipal planners and politicians, the Ontario government and the Ontario Municipal Board.

The current system is too cumbersome and complicated, and decisions on what development should take place and where it should go take far too long.

The reformed system will be more open and accountable. It will take into account the needs and opinions of a community's residents, who know best about where homes and factories should be built and where parks, schools and hospitals should be located.

A major component in reforming Ontario's land use planning system is to streamline how planning decisions are handled by various levels of government. The more efficiently this process works, the more quickly good, environmentally sound development can proceed. This will help to stimulate the economy and create jobs.

Specifically, as part of the long-term streamlining of the planning system, the government proposes:

- Specific timeframes will be set for decisions.
- Once a decision is made by the province or municipality, or time has expired, appeals can be made directly to the OMB.
- Minor variance appeals will no longer be appealed to the OMB; this is 28 per cent of the appeals to the OMB.
- The Ministry of Municipal Affairs will be given the lead role in planning and will co-ordinate the planning functions of different ministries. This will give a "one-window" approach to planning approvals and provide for improved administration of provincial review and approval responsibilities.
- Planning boards will be expanded in Northern Ontario on a voluntary basis. Increasing the geographic areas of planning boards in Northern Ontario will facilitate more local decision-making on certain development applications.

These initiatives are just the beginning; more will be brought forward in the spring.

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Streamlining Projects

A number of streamlining projects are already underway, led by Dale Martin, the Provincial Facilitator, and the Ministry of Municipal Affairs:

- Backlogged development applications made to the province are being handled more efficiently. Only 1,000 such applications will remain undecided in the current fiscal year. Without the improvements, 2,900 applications would have remained undecided.
- In cases where the province is reviewing development projects, the Ministry of Municipal Affairs has a target to make decisions in 90 days.
- A three-city pilot project to speed up the appeals process is underway. The aim of this project is to resolve planning disputes without the need for formal Ontario Municipal Board (OMB) hearings.
- The province is moving away from approving individual land development projects. More decision-making power will be in the hands of the municipalities, and this will speed up the process.
- The Ministry of Municipal Affairs and the Ministry of Environment and Energy (MOEE) are testing a new planning application screening process. Routine case files that have limited environmental impact are no longer automatically circulated to MOEE. This means MOEE can concentrate on the more complex cases.
- An information package to assist municipalities in preparing the best possible applications has been developed in cooperation with the development industry. The package is being tested by the municipalities of Peel, York, Metro and Halton.

- New information on planning applications has been provided to developers which clearly defines the entire approval process.

These initiatives will be integrated into the long-term policy and legislative reforms. Additional streamlining projects are being developed.

Legislative Changes

Part of the government's plan to reform Ontario's land use planning system is the development of new legislation. This will speed up the planning process, eliminate duplication and allow the entire system to operate more efficiently and effectively. It is expected that the legislation will be introduced in the spring of 1994.

The legislative changes that are being considered will:

- lead to faster and better decisions, without compromising environmental protection or public involvement;
- create a system that has clear overall goals and policies;
- clarify provincial and municipal roles so the land use planning system runs smoothly and efficiently; and
- recognize that Ontario's municipalities are different from one another, and that their goals and needs may vary.

For further information, please contact:

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